

REMARKS

The Official Action mailed August 22, 2005, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on May 9, 2001; October 3, 2001; September 22, 2003; and December 10, 2004.

Claims 33-44 and 55-60 are pending in the present application, of which claims 33, 55, 57 and 59 are independent. The Applicants note with appreciation the allowance of claims 33-44, 59 and 60 (page 4, Paper No. 20050817). Claims 55 and 57 have been amended to incorporate some of the features from allowed independent claim 33 and dependent claim 38. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 3 of the Official Action rejects claims 55-58 as obvious based on the combination of U.S. Patent No. 5,793,344 to Koyama and U.S. Patent No. 6,040,826 to Furukawa. The Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the

references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 55 and 57 have been amended to recite a pixel portion over a first substrate, a memory portion over a second substrate, a memory control circuit over the second substrate, and the second substrate is provided in a region except for the pixel portion over the first substrate, which is supported in the specification, for example, by Embodiment 1 and Figure 6. Also, please note that these features are included in allowed claims 33 and 38. Koyama and Furukawa, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

Since Koyama and Furukawa do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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